

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAMMION MYLES, an individual, on
behalf of himself, and on behalf of all
persons similarly situated,

Plaintiff,

v.

BUILDERS CONCRETE, INC., a
California Corporation;
CONCRETEHOLDING COMPANY
OFCALIFORNIA, INC., a Corporation;
VIKING READY MIX CO., INC., a
Corporation; NATIONAL READY MIXED
CONCRETE CO., a California
Corporation; and DOES 1 through 50,

Defendants.

No. 1:21-cv-01309-ADA-CDB

ORDER GRANTING JOINT STIPULATION
TO REMAND AND REMANDING ACTION
TO KERN COUNTY SUPERIOR COURT

(ECF No. 39)


Defendants removed this matter to this Court from Kern County Superior Court on August 27, 2021. (ECF No. 1). On July 21, 2022, Plaintiff filed a Second Amended Complaint. (ECF No. 22). On August 4, 2022, Defendant filed a Motion to Dismiss Plaintiff's claims against all Defendants. (ECF No. 25) On January 30, 2023, parties filed a Stipulation to Remand the present matter to State Court. (ECF No. 39). Good cause appearing, and pursuant to the parties' stipulation, the Court **grants** the stipulation to remand and orders the following:

1. This matter is remanded back to the Superior Court of the State of California, County of Kern;

2. Defendants' Motion to Dismiss, (ECF No. 25), is denied as moot.
3. All deadlines, dates, and events presently on calendar are vacated; and
4. The Parties shall bear their own respective attorneys' fees and costs with respect to the removal and subsequent remand.
5. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: February 14, 2023


UNITED STATES DISTRICT JUDGE